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Homosexuals Press Fight on Right to Be Agents

By PHILIP TAUBMAN

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WASHINGTON, Jan. 31 — Sex and security. The combination has always been volatile, and the history and literature of spying are replete with tales of betrayal and blackmail resulting from romantic attachments.

These days, like almost everything else, the subject has landed in the courts, but the issue being tested bears little relation to the popular image of a rakish male spy caught in a tryst with a female foreign agent. To the considerable concern and consternation of intelligence officials, the subject of the lawsuits is homosexuality and security, specifically the idea that the two are incompatible.

In Washington, Los Angeles and San Francisco, homosexual men who worked directly or indirectly for the Central Intelligence Agency and lost their security clearances when their sexual orientation became known have gone to court to challenge longstanding attitudes of intelligence forces toward homosexuality. All the cases are still pending.

Clearance Issue Raised

Their contention, stated in the Los Angeles complaint filed by John W. Green, an electrical engineer at the TRW Corporation who lost his clearance to work on classified intelligence projects, is simple: "There is no rational, legitimate or demonstrable relationship between homosexuality and a person's suitability to hold a security clearance."

The C.I.A.'s position is equally plain: There is often a rational, legitimate and demonstrable relationship. "Foreign intelligence services," said an agency spokesman, Dale Peterson, "are known to target for cultivation and exploitation persons known or believed to be practicing adult homosexual behavior. There have been a significant number of espionage cases in which homosexual conduct has been a factor."

Mr. Peterson added that the C.I.A. had no blanket prohibition against hiring homosexuals or giving them security clearances. "Each case is reviewed on its merits," he said, declining to say whether the agency had ever retained an employee known to be homosexual.

The court cases have crystallized an issue that has long troubled intelligence forces. In 1980, the National Security Agency, which monitors worldwide communications and handles code-breaking for the Government,

routinely suspended the security clearance of a linguist who was discovered to be a homosexual.

Then, in a highly unusual step, the agency reinstated the clearance after the linguist promised to tell his family he was a homosexual and vowed that he would not succumb to blackmail. The decision, made by Adm. Bobby R. Inman, then the director of the N.S.A., rocked the intelligence establishment.

The prevalent attitude among intelligence officials then, and one that has changed little since, is that homosexuality equals trouble. As evidence, officials cite the Soviet spy ring in Britain led by Kim Philby that revolved, in part, around homosexual relationships. In the United States, intelligence officials said that perhaps the most serious espionage case at the N.S.A. involved two analysts who defected to the Soviet Union in 1960. The officials said both were believed to be homosexual.

"There was a time," one official said, "when we believed the great danger posed by homosexuals was the threat of blackmail. I think as attitudes about homosexuality have changed, and their behavior has become more open and acceptable, the blackmail threat has receded somewhat. A primary concern now is that homosexuals often seek sex in questionable places and with unknown partners, possibly jeopardizing their own safety and our security."

Reinstatement Plea Rejected

In the case of Mr. Green, for example, the C.I.A.'s director of security, William R. Kotapish, in rejecting an appeal for reinstatement of the security clearance in 1982, wrote Mr. Green, "You stated that for a six- to eight-month period, you had sexual relationships with a different man about once a week, usually meeting these various partners at Los Angeles discos."

Mr. Kotapish also cited "two incidents of sexual activity with other males, one involving a foreign nation," that "took place while you were on a business trip to a sensitive facility abroad."

Mr. Green's response, as presented by his attorneys in court documents, was that he had worked without incident for nearly 10 years on classified contracts at TRW, that he never misled the company or the C.I.A. about his sexual orientation, and that he "is not embarrassed or ashamed about his homosexuality." To the charge that he failed to inform either TRW or the C.I.A. that he was a

homosexual, Mr. Green replied that he had reported his membership in the largest homosexual ski club in Los Angeles and had discussed his homosexuality with colleagues at work.

In the Washington case, a C.I.A. electronics technician was dismissed after an internal investigation concluded that "the circumstances of his homosexuality" posed a security threat. The man, who filed suit in 1982 as "John Doe" because C.I.A. regulations require that employees not publicly disclose their work, asked to be reinstated on the ground that his dismissal violated normal agency termination procedures.

Last week Richard L. Gayer, an electrical engineer at the GTE Sylvania Corporation in Mountain View, Calif., sued the C.I.A. in Federal court in San Francisco charging that he had failed to receive a security clearance to work on a classified project. Mr. Gayer, who has been an activist for homosexual rights, said he had assumed that the C.I.A. was responsible for the problem.

"They are simply tied to the past," he said in a telephone interview. "They assume that gays are going to part with secrets at the slightest pressure and that as a class, we care less about the welfare and safety of the nation. That's simply not true."

Franklin E. Kameny, a Washington resident who advises homosexuals about security clearance issues, called the C.I.A. "nutty and hysterical" on the question. Mr. Kameny said: "Here in 1984 they are operating on the basis of notions unchanged since 1954. Their minds seemed hermetically sealed."

Agencies Seen as 'Holdouts'

Mr. Kameny said that the intelligence agencies, along with the military services, were the main holdouts against homosexuality. "We won in the Civil Service," he said, "and in most cases among defense contractors involving sensitive weapons projects, gays can keep their security clearances unless there are aggravating circumstances. The policies of the intelligence agencies are set by intellectual Neanderthals. Their attitude is that homosexual sex is the locus for the divulgence of secret information. What about heterosexual sex?"

Mr. Gayer, refining the point, said, "The highest-risk class when it comes to security are parents."

Intelligence officials are awaiting the court decisions to see whether they will have to adopt a more lenient attitude toward homosexuals. One official said: "This is one field where the sexual revolution hasn't arrived. We hope it never does."

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